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Image

1652

MAR 11 2004

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/925,236
		Filing Date	August 8, 2001
		First Named Inventor	Chaitan KHOSLA
		Art Unit	1652
		Examiner Name	N. Nashed
Total Number of Pages in This Submission	10	Attorney Docket Number	300622000123

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Correction of Correspondence Address and for Copy of Restriction Requirement (9 pages) Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

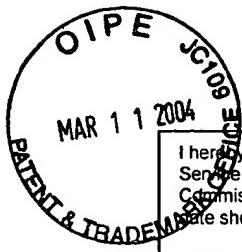
Customer No. 25225

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	<i>Kate H. Murashige</i>
Date	March 5, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

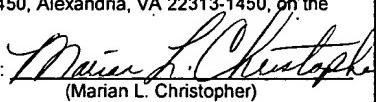
Dated: March 8, 2004 Signature: *Marian L. Christopher* (Marian L. Christopher)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 8, 2004

Signature:



(Marian L. Christopher)

Docket No.: 300622000123
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chaitan KHOSLA, et al.

Application No.: 09/925,236

Confirmation No.: 5249

Filed: August 8, 2001

Art Unit: 1652

For: RECOMBINANT PRODUCTION OF NOVEL
POLYKETIDES

Examiner: N. Nashed

REQUEST FOR CORRECTION OF CORRESPONDENCE ADDRESS AND FOR COPY OF RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a correction be made to the file history for the above identified U.S. Patent Application. The circumstances necessitating this request are as follows:

Applicants made a routine check of this application through the PAIR system on November 10, 2003, to ascertain if an office action had been issued or other action had been taken. At that time it was noted that a Correspondence Address Change had been entered on September 17, 2003, as document no. 15. Since neither Applicants nor their attorneys had filed such document, a telephone call was placed to Examiner Nashaat Nashed to request clarification. Examiner Nashed reported that the Correspondence Address Change had been entered in this file in error and stated he would report this error to his docketing clerk and request correction.

Applicants again checked through the PAIR system on December 8, 2003, January 5, 2004, February 6, 2004, and on March 2, 2004. Copies of the PAIR system printouts are attached

hereto. Because the Correspondence Address Change still appeared in the history as document no. 15, a second call was placed to Examiner Nashed on March 4, 2004. The Examiner investigated the matter and reported that the Correspondence Address Change had been filed by Nixon & Vanderhye, PC, 1100 North Glebe Road, 8th Floor, Arlington, VA 22201-4714, but reflected the customer number of Morrison & Foerster LLP (25225). Applicants are providing a copy of this request to Nixon & Vanderhye, PC, by U.S. mail.

Applicants further have discovered that a Restriction Requirement was mailed on February 24, 2004. This document was mailed to the Nixon & Vanderhye firm and was not received by either the Applicants or their Attorneys.

Applicants therefore request that the file in this matter be corrected to reflect the correct mailing address for their Attorneys, Morrison & Foerster LLP, which is 3811 Valley Centre Drive, Suite 500, San Diego, CA 92130-2332.

Applicants further request that a copy of the outstanding Restriction Requirement be faxed to their Attorneys at: (858) 720-5125 as soon as possible in order to avoid extension fees or, in the alternative, that the Restriction Requirement be re-issued and the response time re-started.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing docket no. 300622000123. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 5, 2004

Respectfully submitted,

By Kate H. Murashige
Kate H. Murashige
Registration No.: 29,959
MORRISON & FOERSTER LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130
(858) 720-5112



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- Information Contacts**

Search results for application number:09/925,236

Application Number:	09/925,236	Customer Number:	-
Filing or 371(c) Date:	08-08-2001	Status:	Docketed New Case - for Examination
Application Type:	Utility	Status Date:	05-09-2002
Examiner Name:	NASHED, NASHAAT T	Location:	ELECTRONIC
Group Art Unit:	1652	Location Date:	08-25-2003
Confirmation Number:	5249	Earliest Publication No:	US 2002-0110874 A1
Attorney Docket Number:	300622000123	Earliest Publication Date:	08-15-2002
Class/ Sub-Class:	435/440	Patent Number:	-
First Named Inventor:	Chaitan Khosla, Stanford, CA	Issue Date of Patent:	-
Title Of Invention:	Recombinant production of novel polyketides		

Image File Wrapper

Continuity Data

Published Document

File Contents History

Number	Date	Contents Description
15	09-17-2003	Correspondence Address Change
14	08-31-2003	IFW TSS Processing by Tech Center Complete
13	12-02-2002	Information Disclosure Statement (IDS) Filed
12	05-22-2002	Preliminary Amendment
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4	02-19-2002	Applicant has submitted a new specification to correct Correct problems
3	08-22-2001	Correspondence Address Change
2	08-16-2001	IFW Scan & PACR Auto Security Review
1	08-08-2001	Initial Exam Team nn

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12/8/03 - Spoke w/ ms. Robinson who is checking into it. *helpful agent*

1/7/04 Again spoke w/ ms. Robinson who ~~will pull~~ *filed*
the file to see if a POF was filed
& told me to call the Examiner
& that she could pull the file
from her.
Left msg for Israel

Search results for application number:09/925,236			
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2	08-16-2001	IFW Scan & PACR Auto Security Review
1	08-08-2001	Initial Exam Team nn

1/8/04 Spoke w/ Examiner Nashed (very helpful) + told me the change of address was noted in the wrong matter + that he would have the docket clerk fix it. He said they're moving before then - he suggested I ck pairs in a couple of weeks

1/21/04 + was hopeful it would be done DB

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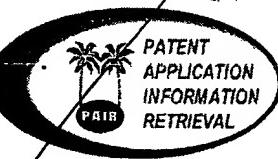
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Application Number:	09/925,236	Customer Number:	-
Filing or 371(c) Date:	08-08-2001	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	02-24-2004
Examiner Name:	NASHED, NASHAAT T	Location:	ELECTRONIC
Group Art Unit:	1652	Location Date:	08-25-2003
Confirmation Number:	5249	Earliest Publication No:	US 2002-0110874 A1
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Select Search Option

 Continuity Data Published Documents**File History**

Number	Date	Contents Description
17	02-24-2004	Mail Restriction Requirement
16	02-23-2004	Requirement for Restriction / Election
15	09-17-2003	Correspondence Address Change
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